

KEVIN G. HORBATIUK (KGH-4977)
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CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
26 Broadway - 28th Floor
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(212) 482-0001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**

21 MC 102 (AKH)

-----X
LJILJANA TABARES,

**DOCKET NO:
07 CV 8289**

Plaintiff,

-against-

**100 CHURCH, LLC, AMBIENT GROUP, INC.,
CUNNINGHAM DUCT CLEANING
CO., INC., GPS ENVIRONMENTAL CONSULTANTS,
INC., INDOOR AIR PROFESSIONALS, INC., INDOOR
ENVIRONMENTAL TECHNOLOGY, INC., J.P.
MORGAN CHAE CORPORATION, LAW
ENGINEERING, P.C, MERRILL LYNCH & CO.,
INC., RECTOR OF TRINITY CHURCH, ROYAL
AND SUNALLIANCE INSURANCE GROUP, PLC
TRC ENGINEERS, INC., and ZAR REALTY
MANAGEMENT CORP.,**

**NOTICE OF
ADOPTION OF
ANSWER TO
MASTER COMPLAINT**

Defendants.

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PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in

the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
February 6, 2008

Kevin G. Horbatiuk
Kevin G. Horbatiuk (KGH4977)
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TO: CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
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CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 6th day of February, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiff
LJILJANA TABARES
115 Broadway 12th Floor
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A handwritten signature in black ink, reading "Kevin G. Horbatiuk", written over a horizontal line.

KEVIN G. HORBATIUK